

REMARKS

Claims 27-44 are pending in the present application, claims 1-26 having been canceled herein and claims 27-44 having been added. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Claims 1-22, 25 and 26 were rejected under 35 USC §101 as allegedly being directed to non-statutory subject matter. This rejection is respectfully traversed for the following reasons.

The Office Action states that "the method claims of visiting plan generation method that receives inputting information does specifically use a computer or computer operable medium." Applicant respectfully disagrees. The Meriam-Webster Unabridged Third International Dictionary defines input or inputting as "to enter (as data) into a computer or data processing system." See attached page printed from website on February 9, 2004. Claim terms must be interpreted using their ordinary meaning unless the inventor indicates to the contrary in the specification. There is nothing in the specification that suggests this meaning is not what was intended by the inventor. To the contrary, the specification also discloses a state memory means for storing state information. This is clearly means

that is related to a computer. This is confirmed by the absence of a rejection of original claims 23 and 24, which recited an inputting means and a state memory means. Accordingly, Applicant respectfully submits that the method claims do use a computer and are therefore directed to statutory subject matter. Withdrawal of this rejection is respectfully requested.

Claims 1-26 were rejected under 35 USC §102(e) as being anticipated by Edgar et al (U.S. patent 5,848,395) in view of Ralston et al (U.S. patent 6,389,454). This rejection is respectfully traversed for the following reasons.

First, Applicant notes that although the rejection is stated as a rejection under 35 USC §102(e), two references are used and a discussion of whether or not the combination of the teachings of those references would have been obvious to one of ordinary skill is provided. Accordingly, the rejection is more properly stated as a rejection under 35 USC 103. Clarification is requested.

Second, turning to the merits of the rejection, Applicant respectfully submits that new claims 27-44 are patentable over the combination proposed in the Office Action.

Claims 27 recites a visiting plan generation method of generating a visiting plan for a plurality of groups to visit a plurality of destinations on a task-sharing basis. The method comprises the step of inputting information on destinations information on members constructing a group, and information on the groups necessary for visiting plan generation, the information on destinations comprising information on locations of the destinations, and conditions of tasks to be performed. The method also comprises the steps of re-arranging the members of the group and visiting plan to an optimum state based on the state X showing visiting plans of each group, the members of each group and, information on destination assignment to each group at a predetermined point of time and re-forming the visiting plan by calculating a visiting plan cost $F_i(X_i)$ for each group based on information on the members belonging to group i and information on destination assignment to each group received from the re-arranging step, and information on destinations and members received at the information inputting step, and the reforming a visiting plan X_i for each group based on the visiting plan cost $F_i(X_i)$ for each group and the information received at the information inputting step. In the visiting plan re-arranging step, the members of the group and visiting plan thereof are re-arranged to an optimum state, using the

visiting plan X_i of the group i under the state X and the visiting plan cost $F_i(X_i)$ thereof. This is not taught disclosed or made obvious by the prior art of record.

Applicant notes that neither the Edgar nor Ralston et al patents relate to or disclose a visiting plan for a plurality of groups to visit a plurality of destinations on a task sharing basis. In particular, Edgar et al relates to booking appointments with operatives that is service engineers visiting customer sites within a defined geographic area. There is no attempt to divide the operatives into a plurality of groups. Instead, the area in which the appointments are to be booked is divided into a number of regions. See column 1, lines 59-63. Ralston et al relates to a system for scheduling appointments at a plurality of facilities. Each of the facilities may be grouped (column 4, lines 20-23), however the service providers are not divided into a plurality of groups. Thus, the cited references do not teaching the remaining steps of the combination of claim 1 all of which involve the members of the groups and the visiting plans for the groups. Thus, even if it would have been obvious to one of ordinary skill in the art to combine the teachings of the two patents, assumed here for sake of argument only, the resulting combination would not have yielded Applicant's claimed invention.

Claim 36 recites a visiting plan generation system for generating a visiting plan for a plurality of groups to visit a plurality of destinations on a task-sharing basis. The system comprises input means for receiving information on destinations, information on members constructing group, and information of the groups necessary for visiting plan generation, the information on the destinations comprising locations of the destinations, and conditions of tasks to be performed. State memory means is also provided for memorizing a state X showing visiting plans of each group, the members of each group and information on destination assignment to each group at a predetermined point of time, and an optimum state in preceding visiting plan conditions. The system further includes state re-arrangement means for re-arranging the members of the group and visiting plan to an optimum states based on the state X memorized in the state memory means, and plan re-formation means which calculates a visiting plan cost $F_i(X_i)$ for each group based on information on the members belonging to group i and information on destination assignment to each group received from the state re-arrangement means and information on destinations and members received from the input means, and reforms a visiting plan X_i for each group based on the visiting plan cost $F_i(X_i)$

for each group and the information received at the input means. The state re-arrangement means re-arranges members of the group and visiting plan thereof to an optimum state, using the visiting plan X_i of the group i under state X and the visiting plan cost $F_i(X_i)$ thereof. This is not taught, disclosed or made obvious by the prior art of record.

As discussed above with respect to claim 1, the cited references do not disclose generating a visiting plan for a plurality of groups to visit a plurality of destinations. Accordingly, for the reasons discussed above with respect to claim 27, Applicant respectfully submits that claim 36 is patentably over the cited prior art or whether taken alone or in combination as proposed in the Office Action.

Claims 28-35 and claims 37-44 depend from and include the recitations of claims 27 and 36, respectively. Applicant respectfully submits that these claims are patentable in and of themselves and as they depend from and include the recitations of claims 27 and 36.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for

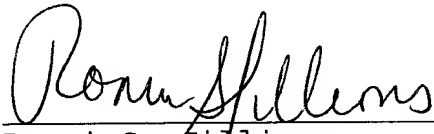
Appln. No. 09/668,296
Amd. dated February 9, 2004
Reply to Office Action of October 7, 2003

allowance and early notice to this effect is most earnestly
solicited.


If the examiner has any questions, he is invited to
contact the undersigned.

Respectfully submitted,

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Main Entry: **input** [Pronunciation Guide](#)

Pronunciation: 'in,pŭt, *usually* d.+V

Function: *transitive verb*

Inflected Form(s): **in·put·ted or input; in·put·ted or input; in·put·ting; in·puts**

Etymology: *input*, noun

: to enter (as data) into a computer or data processing system

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